

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

UNITED STATES OF AMERICA

v.

No. 4:12CR00186-06-DPM

JUSTIN PENNOCK

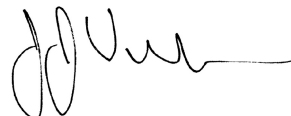
ORDER

Before the Court is Defendant's Motion For Detention Hearing. (Doc. No. 212.) The Bail Reform Act expressly authorizes reopening a detention hearing when material information "that was not known to the movant at the time of the hearing" comes to light. 18 U.S.C. § 3142(f). The material information Mr. Pennock offers is that his trial has been postponed late into 2014 and, while incarcerated, he has been drug free for a lengthy period of time.

Mr. Pennock was specifically warned about the consequences of having his bond revoked - one being held in jail awaiting trial for a very long time. And Mr. Pennock was given every opportunity to succeed, including a third party custodian and taxpayer funded inpatient drug rehabilitation program. The Court even twice modified Mr. Pennock's conditions. (Doc. Nos. 116, 123.) But Mr. Pennock chose to engage in illegal drug activity.

The Court was required to revoke bond because Mr. Pennock violated his conditions of pretrial release on multiple occasions; the Court concluded he was a danger to the community and no condition or combination of conditions could assure the safety of the community. (Doc. No. 136.) Therefore, the Motion is without merit and is DENIED.

IT IS SO ORDERED this 25th day of November, 2013.



JOE J. VOLPE
UNITED STATES MAGISTRATE JUDGE